

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

RUSTY STRICKLAND,
ALAN AND AMY WEST FARMS,
ALAN WEST,
AMY WEST,
DOUBLE B FARMS, LLC, and
BRYAN BAKER,
Plaintiffs,

v.

THE UNITED STATES DEPARTMENT
OF AGRICULTURE,
THOMAS J. VILSACK, in his official
Capacity as Secretary of the United States
Department of Agriculture,
ZACH DUCHENEAUX, in his official
Capacity as Administrator of the Farm
Service Agency, and
THE UNITED STATES OF AMERICA,
Defendants.

Case No. 2:24-cv-60-Z

**UNOPPOSED MOTION FOR LEAVE TO FILE AMICI CURIAE BRIEF IN SUPPORT
OF DEFENDANTS' COMBINED MOTION FOR SUMMARY JUDGMENT ON
BEHALF OF AMERICAN INDIAN MOTHERS, INC., CONCERNED CITIZENS OF
TILLERY, COTTAGE HOUSE INCORPORATION, FARM AID, KANSAS BLACK
FARMERS ASSOCIATION, LATINO FARMERS AND RANCHERS
INTERNATIONAL, NATIONAL SUSTAINABLE AGRICULTURE COALITION,
NATIONAL YOUNG FARMERS COALITION, NORTH CAROLINA ASSOCIATION
OF BLACK LAWYERS LAND LOSS PREVENTION PROJECT, OKLAHOMA BLACK
HISTORICAL RESEARCH PROJECT, INC., RURAL ADVANCEMENT FUND OF
THE NATIONAL SHARECROPPERS FUND, INC., RURAL COALITION, AND
WORLD FARMERS, INC.**

American Indian Mothers, Inc., Concerned Citizens of Tillery, Cottage House
Incorporation, Farm Aid, Kansas Black Farmers Association, Latino Farmers and Ranchers

International, Inc., National Sustainable Agriculture Coalition, National Young Farmers Coalition, North Carolina Association of Black Lawyers Land Loss Prevention Project, Oklahoma Black Historical Research Project, Inc., Rural Advancement Fund of the National Sharecroppers Fund, Inc., Rural Coalition, and World Farmers, Inc., respectfully request leave of this Court to submit their brief as amici curiae in support of Defendants’ Motion for Summary Judgment.

The undersigned attorneys for Rural Coalition have conferred with the Parties and confirmed that they are unopposed to the amici curiae’s Motion for Leave to file an amicus brief.

Amici curiae are farmers’ organizations that work with, on behalf of, or represent socially disadvantaged farmers and ranchers who are eligible for the funding and benefits designated for socially disadvantaged farmers or ranchers under the USDA’s emergency relief programs at issue and would be harmed should the Court rule that the USDA is permanently enjoined from enforcing or implementing any categories based on race or sex absent clear congressional authorization.

“An amicus brief should normally be allowed when a party is not represented competently . . . or when the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.” *In re Halo Wireless, Inc.*, 684 F.3d 581, 596 (5th Cir. 2012) (citing *Ryan v. Commodity Futures Trading Comm’n*, 125 F.3d 1062, 1063 (7th Cir. 1997). “So courts should welcome amicus briefs for one simple reason: it is for the honor of a court of justice to avoid error in their judgments.” *Lefebvre v. D’Aquila*, 15 F.4th 670, 675 (5th Cir. 2021) (internal quotations omitted) (citation omitted). Federal district courts possess the inherent authority to accept amicus briefs. *See In re Bayshore Ford Truck Sales, Inc.*, 471 F.3d 1233, 1249 n.34 (11th Cir. 2006) (“[D]istrict courts possess the

inherent authority to appoint ‘friends of the court’ to assist in their proceedings.”); *United States v. State of La.*, 751 F. Supp. 608, 620 (E.D. La. 1990) (“Generally, courts have exercised great liberality in permitting an amicus curiae to file a brief in a pending case[.]”)

For the reasons explained in the accompanying brief, amici curiae urge the Court to deny Plaintiffs’ Motion for Summary Judgment and, instead, grant summary judgment in favor of Defendants.

DATE: November 22, 2024

Respectfully submitted,

Ryan Brown
Texas Bar No.: 2473967
1222 S. Fillmore St.
Amarillo, Texas 79101-4352
Tel.: (806) 372-5711
Fax: (806) 350-7716
Email: ryan@ryanbrownattorneyatlaw.com

Efrén Olivares
Texas Bar No.: 24065844
The Southern Poverty Law Center
150 E. Ponce de Leon Ave., Ste. 340
Decatur GA 30030
Counsel for Amici Curiae

Local Counsel – Amici Curiae

CERTIFICATE OF SERVICE

I hereby certify that on this date the foregoing was filed through the Court's CM/ECF filing system, and by virtue of this filing notice will be sent electronically to all counsel of record.

Dated: Dated November 22, 2024

/s/ Efrén Olivares
Efrén Olivares